

EXHIBIT 1

Pages 1 - 20

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable William Alsup, Judge

GOOGLE LLC ,)
)
Plaintiff,)
)
VS.) NO. C 20-06754-WHA
)
SONOS, INC.,)
)
Defendant.)
)

San Francisco, California
Thursday, October 7, 2021

TRANSCRIPT OF REMOTE TELECONFERENCE PROCEEDINGS

APPEARANCES: (Appearances via AT&T Teleconference.)

For Plaintiff:

QUINN, EMANUEL, URQUHART
& SULLIVAN LLP
50 California Street - 22nd Floor
San Francisco, California 94111
BY: CHARLES K. VERHOEVEN, ATTORNEY AT LAW

For Defendant:

ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
405 Howard Street
San Francisco, California 94105
BY: CLEMENT S. ROBERTS, ATTORNEY AT LAW

ORRICK, HERRINGTON & SUTCLIFFE LLP
777 South Figueroa Street - Suite 3200
Los Angeles, California 90017
BY: ALYSSA M. CARIDIS, ATTORNEY AT LAW

Reported By: Ruth Levine Ekhaus, RMR, RDR, FCRR
Official Reporter, CSR No. 12219

PROCEEDINGS

1 I would also mention, along the same lines, in terms of
2 cleaning up things, there are two outstanding motions that have
3 been filed and have not been ruled upon in the Western
4 District. And my suggestion would be that we just refile them
5 pursuant to the local rules here. But if Your Honor wants, we
6 could just indicate what they are and, Your Honor, could pull
7 them out.

8 **THE COURT:** What are those motions?

9 **MR. VERHOEVEN:** Oh. Okay. One is, a motion to
10 dismiss Sonos's willfulness allegations.

11 And it might be helpful to wait until we see what
12 they're -- I assume we're going to get some counterclaims from
13 them for patent infringement. So it may make sense for us
14 to -- well, I guess we should talk about that. I mean,
15 currently --

16 **MR. ROBERTS:** Mr. Verhoeven -- sorry.

17 **MR. VERHOEVEN:** Currently there is -- I'm sorry. I
18 didn't want to interrupt. Is someone talking?

19 **MR. ROBERTS:** Yeah. I was just saying, I'm happy -- I
20 don't have a problem with your either refiling the motions or
21 you renewing them. Perhaps we could just talk about this
22 offline in terms of working on amending the pleadings, and
23 those kind of things. I'm sure we could work this out.

24 **MR. VERHOEVEN:** Great. I just didn't -- in case His
25 Honor had a preference, I just -- those were the two options I

PROCEEDINGS

1 was looking at, Your Honor.

2 **THE COURT:** I want you to refile those motions, but
3 the one on the willfulness, okay. What is the other one on?

4 **MR. VERHOEVEN:** The other one is a motion to strike
5 Sonos's conception dates. There is a -- there is a -- Google
6 filed a motion to strike Sonos's conception date because Sonos
7 failed to timely disclose conception and reduction to practice
8 evidence in compliance with Judge Albright's rules.

9 You know, this motion is based on the local rules of the
10 Western District of Texas, but they are basically the same as
11 the Northern District rules in substance, Your Honor.

12 **THE COURT:** Wait. Wait. I am not going to -- no.
13 That will have to be refiled and be based on whatever rules we
14 got here. I'm not going to -- please don't -- I'm not going to
15 start enforcing Western District rules. So that one I'm not
16 going to allow. That one is denied. But the other one, I'll
17 let you refile it under -- and I'll go ahead and hear that one.

18 **MR. VERHOEVEN:** Thank you, Your Honor.

19 On the -- on the one about conception date, I don't want
20 Google to be prejudiced because of the transfer. And although
21 the local rules aren't identical, Your Honor, there is
22 deadlines in California as well that have the same consequences
23 if they're missed.

24 **THE COURT:** But the case just got here.

25 **MR. VERHOEVEN:** I'm sorry?